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DE RUEHYN #1473 2471408  
ZNR UUUUU ZZH  
P 031408Z SEP 08  
FM AMEMBASSY SANAA  
TO RUEHC/SECSTATE WASHDC PRIORITY 0250  
INFO RUEHGV/USMISSION GENEVA PRIORITY 0278  
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY

UNCLAS SANAA 001473

SENSITIVE  
SIPDIS

NEA/ARP FOR AMACDONALD; DRL FOR JBARGHOUT/JKERN

E.O. 12958: N/A  
TAGS: [PHUM](#) [PREF](#) [PREL](#) [KIRF](#) [PGOV](#) [YM](#)  
SUBJECT: DEPORTATION STILL FEARED FOR THE BAHAI'S

REF: SANAA 1441

11. (SBU) As of September 3, the four imprisoned Baha'is (reftel) remain detained and face possible deportation. According to their lawyer, Khaled al-Anisi, the ROYG has now unofficially agreed that they may choose the country to which they will be deported.

12. (SBU) On August 31, the Charge d'Affaires once again urged Foreign Minister Abu-Bakr al-Qirbi to not deport the Baha'is and passed along information explaining the threat of persecution Baha'is face in Iran. Qirbi said the Baha'is had overstayed their visas and may thus be deported. (Note: The Baha'i community asserts that all four detained Baha'is have valid visas. End Note). Qirbi also asked if the USG would be willing to accept the detained Baha'is. The CDA made no promises, but urged that the ROYG avoid making a hasty decision while we explored this option.

13. (SBU) On September 2, UNHCR-Yemen representative Samer Haddadin told Poloff that, despite numerous attempts to visit the detainees, UNHCR has been refused access. Family members and other Baha'is, however, reported to Poloff on September 2 that they have been granted visitation in recent days. On September 2, ICRC-Yemen country director Marcus Dolder reported to CDA that ICRC has yet to be contacted by their headquarters on the issue. Dolder added that they have not attempted to gain access to the imprisoned Baha'is, but is sure that they would be denied if they attempted to do so because ICRC has not had access to prisoners in Yemen since 2004 and assumes that the ROYG would say that Embassies representing the detained have jurisdiction over them (despite the fear of persecution).

14. (SBU) Comment: Post has been in contact with PRM to determine possible procedures for US resettlement, should this become necessary. Post continues, in the meantime, to lobby the government against deportation. End Comment.  
BRYAN